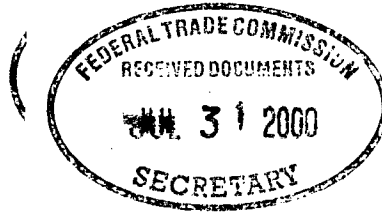


Congress of the United States

Washington DC 20515



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JUL 31 2000

July 28, 2000

OFFICE OF THE CHAIRMAN

The Honorable Robert Pitofsky
Chairman
Federal Trade Commission
Room H-159
600 Pennsylvania Avenue, NW
Washington, DC 20580

1031614

Dear Mr. Pitofsky:

We are writing in response to the Federal Trade Commission's request for comments on the effectiveness of regulations implementing the Comprehensive Smokeless Tobacco Health Education Act of 1986 (16 CFR Part 307). In light of the findings of two recent studies commissioned by the Massachusetts Department of Public Health, we believe that FTC regulations regarding the size and contrast of smokeless tobacco package warning labels and print advertisements should be revised.

Specifically, we recommend that the FTC strengthen existing regulations by adopting the Canadian warning label system for smokeless tobacco product packaging sold in the United States and requiring print advertisement warning regulations of 24-point font for black-and-white backgrounds and 30-point font for shaded contrast backgrounds. While we believe that more should be done to regulate the message and format of warning labels, we understand that the FTC's authority pertains only to the size and contrast of these labels.

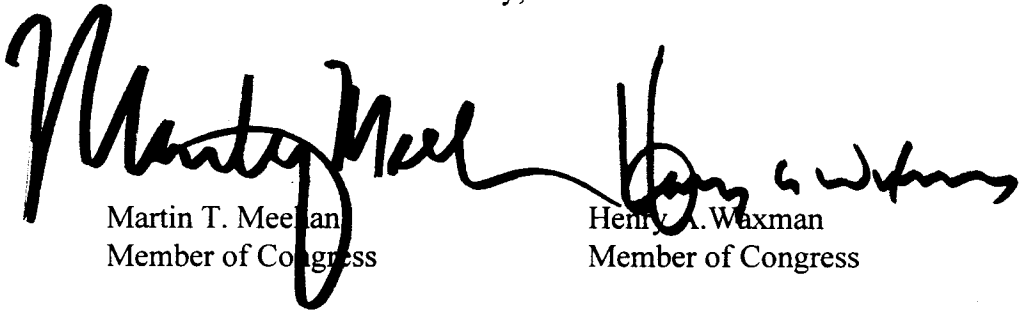
The Massachusetts Department of Public Health recently conducted two studies relating to the efficacy of existing and potentially new warning label and print advertisement designs. The first study found that 74 percent of study subjects recalled Canadian smokeless tobacco warning labels, which cover 25 percent of the package and are set in a black-and-white background. This was in contrast to the finding that only 49 percent of study subjects recalled labels which use the United States' current warning label design. U.S. smokeless tobacco labels only cover 8 percent of product packages.

The second study conducted by the Massachusetts Department of Public Health investigated the effectiveness of smokeless tobacco print warnings. The results of this study revealed the recall for the present warnings was 63%, while recall of the brand name was 84%. However, by enlarging the size of the warning to approximately twice the current size, the recall rose to 78%, almost equal to the recall of the brand name.

Based on the results of these two studies, we are recommending that the FTC strengthen U.S. smokeless tobacco package and print advertisement warnings by adopting the present Canadian smokeless tobacco warnings and doubling the size of the warnings on advertisements. It is our belief that the more people who remember a warning which explains the negative effects of smoking, the fewer people will adopt this unhealthy habit. In our effort to decrease tobacco use, we strongly urge the FTC to adopt these recommendations.

Strengthened smokeless tobacco warning labels are a critical component of a comprehensive strategy to reduce tobacco use. We look forward to working with you on this issue. Please contact Kate Leeson with Congressman Meehan's office (225-3411) or Karen Lightfoot with Congressman Waxman's staff (225-5051) with any questions.

Sincerely,

The image shows two handwritten signatures in black ink. The signature on the left is for Martin T. Meehan, and the signature on the right is for Henry A. Waxman. Both signatures are written in a cursive, flowing style.

Martin T. Meehan
Member of Congress

Henry A. Waxman
Member of Congress